



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

August 13, 2010

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

MOTION TO SEND A FIVE-SIGNATURE LETTER TO THE STATE LEGISLATURE AND THE GOVERNOR REQUESTING TO AMEND THE CRITERIA FOR THE NON-REVOCABLE PAROLE PROGRAM (ITEM NO. 8 - AGENDA OF AUGUST 17, 2010)

Item No. 8 on the August 17, 2010 Agenda is a motion by Supervisor Knabe for the Board of Supervisors to send a five-signature letter to the State Legislature and the Governor requesting to amend the criteria for the Non-Revocable Parole (NRP) Program so that known membership in a street gang will disqualify an individual from the NRP Program.

SBX3 18 (Chapter 28, Statutes of 2009) included policy and program changes to achieve an estimated \$1.2 billion in reductions to the California Department of Corrections and Rehabilitation (CDCR). The bill became effective on January 25, 2010. Among its provisions, SBX3 18 requires CDCR to screen offenders for eligibility to unsupervised parole, known as the Non-Revocable Parole Program, prior to release from State prison. In order to qualify for NRP, an offender must meet all of the following criteria:

- Is not a validated member of a prison gang;
- Is not required to register as a sex offender;
- Has not committed a serious felony and does not have a prior conviction for a serious felony;

"To Enrich Lives Through Effective And Caring Service"

***Please Conserve Paper – This Document and Copies are Two-Sided –
Intra-County Correspondence Sent Electronically Only***

- Was not committed to prison for a sexually violent offense and does not have a prior conviction for a sexually violent offense;
- Was not found guilty of a serious disciplinary offense during the term of imprisonment;
- Did not refuse to sign any written notification of parole requirements or conditions; and
- Was evaluated by CDCR using a validated risk assessment tool and was not determined to pose a high risk to reoffend.

While SBX3 18 contains provisions to disqualify individuals from NRP if they are validated members of a prison gang, the program does not include criteria to exclude known membership in a street gang.

According to CDCR, there are 4,154 active status NRP offenders in Los Angeles County as of August 12, 2010. Offenders placed on NRP are not required to report to a parole agent.

The Probation and the Sheriff's Departments support this motion. The Sheriff has proposed changes to the NRP provisions including the exclusion of gang members from eligibility to NRP and urging the Legislature to sunset the existing program to determine if it is a success or failure. The Chief Probation Officer indicates that known gang members require intensive supervision and typically pose a significant risk to public safety.

The Department of the Public Defender recommends that in lieu of utilizing known membership in a street gang as a disqualifier from NRP consideration, that each person believed to be a known member of a street gang be evaluated by CDCR using a validated risk assessment tool specifically for the determination of whether the person poses a high risk to reoffend.

Support for this motion is consistent with existing Board approved policy regarding Corrections Reform to advocate for a solution that promotes public safety and avoids shifting any responsibility to local governments.

WTF:RA
MR:VE:sb

c: Executive Office, Board of Supervisors
County Counsel